

No. 13-20-00140-CV

In the Thirteenth Court of Appeals
Corpus Christi/Edinburg, Texas

FILED IN
13th COURT OF APPEALS
CORPUS CHRISTI/EDINBURG, TEXAS
7/31/2020 12:11:14 PM
KATHY S. MILLS
Clerk

RICARDO MALDONADO DAVILA

APPELLANT,

V.

M&M TOWING AND RECOVERY INC.

APPELLEE,

On Appeal from the County Court at Law No. 4
Hidalgo County, Texas, Trial Court Cause No. CL-19-5371-D

APPELLANT'S THIRD OPPOSED MOTION FOR
EXTENSION OF TIME TO FILE REPORTER'S RECORD

Respectfully submitted,

RAUL A. ACEVEDO, JR.
ACEVEDO LAW FIRM, PLLC
5717 N 10TH ST, SUITE D
McAllen, Texas 78504
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Facsimile: (866) 427-1643
Appellate Attorney for Appellant
State Bar No. 24088855

MAY IT PLEASE THE COURT:

COMES NOW Ricardo Maldonado Davila, Appellant, by and through his attorney Acevedo Law Firm, PLLC (Raul A. Acevedo, Jr.) and hereby respectfully moves the Court for the entry of an Order allowing a thirty (30) day extension in which to file the Reporter's Record, pursuant to Tex. R. App. P. 10.5(b). As grounds for the Motion, Appellant states as follows:

1. The Judge of County Court at Law No. 4 signed judgment on application for tow hearing on Feb. 12, 2020.
2. Appellant filed a notice of appeal on March 12, 2020.
3. Appellant's attorney has requested the reporter's record.
4. As a result of the ongoing pandemic, Appellant is having economic hardship and is having problems paying for the reporter's record.
5. Appellant previously filed his First Opposed Motion for Extension of time to file Reporter's Record on the 22nd day of May 2020. The Court granted said Motion.
6. Appellant previously filed his Second Amended Opposed Motion for Extension to file Reporter's Record (Previously Incorrectly Named Appellee's Second Opposed Motion For Extension to File Reporter's Record) on the 15th of July 2020. Said Incorrectly named Appellee's Second Opposed Motion For Extension to File Reporter's Record was filed on June 23, 2020.

7. Because of the foregoing, Appellant requests another 30 days to alleviate the above referenced problem.

8. Appellant's counsel has conferred with counsel for Appellee about the relief requested herein and Appellee is OPPOSED to the additional time requested.

9. This request is not made to unduly delay the disposition of the case, but rather because additional time is needed to make the alleviate the above referenced problem.

WHEREFORE, Appellant RICARDO MANUEL DAVILA requests that the Court GRANT this motion and enter an Order extending the time to file the reporter's record to August 22, 2020.

Respectfully submitted,

By: /s/ Raul A. Acevedo, Jr.

RAUL A. ACEVEDO, JR.

State Bar No. 24088855

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CERTIFICATE OF CONFERENCE

I certify that on or before this the 31st day of July 2020, I conferred with the Hon. John David Franz, counsel for M&M Towing & Recovery, Inc., and was informed that Appellee is OPPOSED the relief sought herein.

/s/ Raul A. Acevedo, Jr.
RAUL A. ACEVEDO, JR.

CERTIFICATE OF SERVICE

I certify that on this 31st day of July 2020, I caused a true and correct copy of the foregoing Motion for Extension of Time to be served by via email and/or eservice to the following counsel of record:

Hon. John David Franz
Law Office of John David Franz
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McAllen, Texas 78501
(956) 686-3300
(956) 686-3578 (Fax)
df@johndavidfranz.com
Attorney for Appellee/Appellee M&M Towing and Recovery, Inc.

/s/ Raul A. Acevedo, Jr.
RAUL A. ACEVEDO, JR.

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Raul Acevedo, Jr.
Bar No. 24088855
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Associated Case Party: Ricardo Maldonado Davila

Name	BarNumber	Email	TimestampSubmitted	Status
Raul ArtemioAcevedo, Jr.		racevedo@acevedo-law.com	7/31/2020 12:11:14 PM	SENT

Associated Case Party: M&M Towing & Recovery, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
John David Franz	7389200	jdf@johndavidfranz.com	7/31/2020 12:11:14 PM	SENT